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EXAMINER

BAUGH, APRIL L

ART UNIT PAPER NUMBER

2141

DATE MAILED: 03/10/2004

8

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/578,713

Applicant(s)

ITOH, SHIN-ICHI

Examiner

April L Baugh

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 13 and 17 is/are rejected.
- 7) ☒ Claim(s) 10-12, 14-16 and 18-20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

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### ***Response to Amendment***

Applicant has amended claims 1, 5, and 11-14, and added claim 20, therefore claims 1-20 are now pending.

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

### ***Allowable Subject Matter***

2. Claims 10-12, 14-16, and 18-20 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 1-9, 13, and 17-20 rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,230,189 to Sato et al. and in view of Lo et al.

Regarding claim 1, Sato et al. teaches an image transfer system, comprising: one or more terminal equipments; one or more facsimile apparatus; and a network for interconnecting said terminal equipments and said facsimile apparatus (column 1, lines 15-18); each of said facsimile apparatus including coding means for coding image data included in data inputted to the facsimile apparatus from the outside in accordance with a unique coding method (column 5, lines 10-12), image data storage means for storing the image data coded by said coding means (column 1, lines 64-66), and a decoding program (column 6, lines 39-43).

Sato et al. does not teach outputting decoding program for decoding image data. Lo et al. teaches a decoding program signaling means for outputting, when the image data stored in said image data storage means is to be outputted to a requesting one of said terminal equipment decoding program for decoding image data coded in accordance with the coding method in response to an acquisition request from the requesting terminal equipment (column 1, lines 16-26 and column 7, lines 14-17 and column 8, lines 12-14 and column 19, lines 8-14 and column 22, line 61 through column 23, line 4). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the apparatus for an http server capable of connecting facsimile apparatuses and data terminals of Sato et al. by outputting decoding program for decoding image data because this allows the client terminal the ability to decode the image data and thus reduces the load on the network.

Regarding claim 3, Sato et al. teaches an image transfer system, comprising one or more terminal equipments; one or more facsimile apparatus; and a network for interconnecting said terminal equipments and said facsimile apparatus (column 1, lines 15-18 and 21-23); each of said facsimile apparatus including coding means for coding image data included in data inputted to

Art Unit: 2141

the facsimile apparatus over a public network in accordance with a unique coding method (column 5, lines 10-12), image data storage means for storing the image data coded by said coding means (column 1, lines 64-66), management means for managing the image data stored in said image data storage means and page information of the image data, network control means for controlling connection to and data communication with any of said terminal equipments over said network (column 2, lines 14-17), acquisition request reception means for receiving an acquisition request outputted from any of said terminal equipments, acquisition request analysis means for analyzing the acquisition request received by said acquisition request reception means, HTML document data signaling means for signaling, when it is analyzed by said acquisition request analysis means that the acquisition request is an acquisition request for HTML document data, the HTML document data (column 5, lines 8-10 and column 12, lines 40-44), decoding program (column 6, lines 39-43), when it is analyzed by said acquisition request analysis means that the acquisition request is an acquisition request for image data coded in accordance with the coding method, and signaling means for transmitting a response to the acquisition request signaled from one of said HTML document data signaling means, said decoding program and said image data signaling means to the terminal equipment through said network control means (column 10, lines 44-52).

Sato et al. does not teach outputting decoding program for decoding image data. Lo et al. teaches a decoding program signaling means for signaling, when it is analyzed by said acquisition request analysis means that the acquisition request is an acquisition request for a decoding program for decoding image data decoded in accordance with the coding method, image data signaling means for signaling (column 1, lines 16-26 and column 7, lines 14-17 and

Art Unit: 2141

column 8, lines 12-14 and column 19, lines 8-14 and column 22, line 61 through column 23, line

4). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the apparatus for an http server capable of connecting facsimile apparatuses and data terminals of Sato et al. by outputting decoding program for decoding image data because this allows the client terminal the ability to decode the image data and thus reduces the load on the network.

Referring to claim 5, Sato et al. teaches each of said facsimile apparatus including coding means four coding image data included in data inputted to the facsimile apparatus from the outside in accordance with a unique coding method (column 5, lines 10-12), and image data storage means for storing the image data coded by said coding means (column 5, lines 59-61); said WWW server (Fig.1) and decoding program signaling means for outputting the decoding program in response to a request from the one of said terminal equipments (column 6, lines 39-43).

Sato et al. does not teach WWW server including decoding program storage means and decoding program signaling means for outputting the decoding program. Lo et al. teaches said WWW server including decoding program storage means in which a decoding program for decoding image data coded in accordance with the coding method is stored (column 3, lines 42-44), and decoding program signaling means for outputting the decoding program in response to a request from the one of said terminal equipments (column 1, lines 16-26 and column 7, lines 14-17 and column 8, lines 12-14 and column 19, lines 8-14 and column 22, line 61 through column 23, line 4). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the apparatus for an http server capable of connecting

Art Unit: 2141

facsimile apparatuses and data terminals of Sato et al. by WWW server including decoding program storage means and decoding program signaling means for outputting the decoding program because this allows the client terminal the ability to decode the image data and thus reduces the load on the network and facsimile apparatus.

Regarding claim 9, Sato et al. teaches an image transfer method for an image transfer system wherein one or more terminal equipments and one or more facsimile apparatus are interconnected by a network (column 1, lines 15-18 and 21-23), comprising the steps of: outputting image data coded in accordance with a unique coding method by and stored in any of said facsimile apparatus to an arbitrary one of said terminal equipments (column 5, lines 10-12); and decoding program for decoding image data coded in accordance with the coding method (column 6, lines 39-43).

Sato et al. does not teach outputting decoding program for decoding image data. Lo et al. teaches outputting a decoding program for decoding image data coded in accordance with the coding method to the terminal equipment in response to a request from the terminal equipment (column 1, lines 16-26 and column 7, lines 14-17 and column 8, lines 12-14 and column 19, lines 8-14 and column 22, line 61 through column 23, line 4). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the apparatus for an http server capable of connecting facsimile apparatuses and data terminals of Sato et al. by outputting decoding program for decoding image data because this allows the client terminal the ability to decode the image data and thus reduces the load on the network.

Referring to claim 13, Sato et al. teaches an image transfer method for an image transfer system wherein one or more terminal equipments, one or more facsimile apparatus and a WWW

Art Unit: 2141

server are interconnected by a network (column 3, lines 61-63), comprising the steps of:  
outputting image data coded in accordance with a unique coding method by axed stored in any of  
said facsimile apparatus to a requesting one of said terminal equipments (column 5, lines 10-12);  
and said WWW server (Fig.1) and a decoding program (column 6, lines 39-43).

Sato et al. does not teach WWW server including decoding program storage means and decoding program signaling means for outputting the decoding program. Lo et al. teaches outputting, from said WWW server in which a decoding program for decoding image data coded in accordance with, the coding method, the decoding program to the terminal equipment in response to a request from the requesting terminal equipment (column 3, lines 42-44), and decoding program signaling means for outputting the decoding program in response to a request from the one of said terminal equipments (column 1, lines 16-26 and column 7, lines 14-17 and column 8, lines 12-14 and column 19, lines 8-14 and column 22, line 61 through column 23, line 4). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the apparatus for an http server capable of connecting facsimile apparatuses and data terminals of Sato et al. by WWW server including decoding program storage means and decoding program signaling means for outputting the decoding program because this allows the client terminal the ability to decode the image data and thus reduces the load on the network and facsimile apparatus.

Referring to claims 2, 4, and 7, Sato et al. teaches an image transfer system as claimed in claim 1, 3, and 5, wherein each of said terminal equipments includes: network control means for controlling connection to and data communication with any of said facsimile apparatus over said network (column 2, lines 13-16); inputting means for inputting an operation instruction to initiate



Art Unit: 2141

a WWW browser; program execution control means for controlling execution of a program for initiating the WWW browser in response to the operation instruction inputted by said inputting means; and display means for displaying the WWW browser executed by said program execution control means (column 4, lines 44-47).

Regarding claim 6, Sato et al. teaches an image transfer system as claimed in claim 5, wherein each of said facsimile apparatus further includes: management means for managing the image data stored in said image data storage means and page information of the image data; network control means for controlling connection to and data communication with any of said terminal equipments and said WWW sever over said network (column 2, line 14-17); acquisition request reception means for receiving an acquisition request outputted from any of said terminal equipments; acquisition request analysis means for analyzing the acquisition request received by said acquisition request reception means; HTML document data signaling means for signaling, when it is analyzed by said acquisition request analysis means that the acquisition request is an acquisition request for HTML document data, the HTML document data (column 5, lines 8-10 and column 12, lines 40-44); image data signaling means for signaling, when it is analyzed by said acquisition request analysis means that the acquisition request is an acquisition request for image data coded in accordance with the coding method; and signaling means for transmitting a response to the acquisition request signaled from one of said HTML document data signaling means and said image data signaling means to the terminal equipment through said network control means (column 10, lines 44-52).

Referring to claim 8, Sato et al. teaches an image transfer system as claimed in claim 6, wherein said WWW server includes: network control means for controlling connection to and

Art Unit: 2141

data communication with any of said facsimile apparatus and said terminal equipments over said network (column 1, lines 15-18 and 21-23 and column 2, lines 14-17); acquisition request reception means for receiving an acquisition request outputted from any of said terminal equipments; acquisition request analysis means for analyzing the acquisition request received by said acquisition request reception means (column 5, lines 8-10 and column 10, lines 44-52 and column 12, lines 40-44); decoding program signaling means for signaling, when it is analyzed by said acquisition request analysis means that the acquisition request is an acquisition request for a decoding program for decoding image data decoded in accordance with the coding method; and transmission means for transmitting the decoding program signaled from said decoding program signaling means as a response to the acquisition request to the terminal equipment through said network control means (column 6, lines 39-43).

Regarding claim 17 Sato et al. teaches an image transfer method as claimed in claim 13 wherein said WWW server executes: an acquisition request reception step of receiving an acquisition request outputted from any of said terminal equipments over said network; an acquisition request analysis step of analyzing the acquisition request received by the acquisition request reception step (column 12, lines 42-43); a decoding program signaling step of signaling, when it is analyzed by the acquisition request analysis step that the acquisition request is an acquisition request for a decoding program for image data decoded in accordance with the coding method, the decoding program to the terminal equipment; and a transmission step of transmitting the decoding program signaled by the decoding program signaling step as a response to the acquisition request to the terminal equipment (column 6, lines 39-49).

Art Unit: 2141

***Conclusion***

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art with respect to image transfer systems in general:

US Pat No. 5,937,164 to Mages et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to April L Baugh whose telephone number is 703-305-5317. The examiner can normally be reached on Monday-Friday 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal D Dharia can be reached on 703-305-4003. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ALB

  
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